

BEFORE THE
Federal Communications Commission

WASHINGTON, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
 OFFICE OF SECRETARY

In the Matter of)
)
Implementation of Sections 3(n)) GN Docket No. 93-252
and 332 of the Communications Act)
Regulatory Treatment of Mobile)
Services)

To: The Commission

REPLY COMMENTS OF AIRTOUCH PAGING

AirTouch Paging, by its attorneys, hereby files reply comments regarding the Petitions for Reconsideration of the Third Report and Order, FCC 94-212, released September 23, 1994.^{1/} In reply, the following is respectfully shown:

1. In its comments filed January 20, 1995, in this proceeding, AirTouch Paging supported certain petitions for reconsideration in this docket.^{2/} Specifically, AirTouch Paging urged the Commission to (a) revise its definition of "modification application" for both Part 22 and Part 90

^{1/} General Docket No. 93-252; PR Docket No. 93-144; PR Docket No. 89-553.

^{2/} Specifically, AirTouch Paging supported the Petition for Partial Reconsideration of Massachusetts-Connecticut Mobile Telephone Company, Mobile Radio Communications, Inc. and Radiophone, Inc. (the "Joint Petitioners"), the Petition for Reconsideration filed by Paging Network, Inc. ("PageNet") and the Petition for Reconsideration and Clarification filed by the Personal Communications Industry Association ("PCIA").

facilities^{3/}; (b) permit pre-authorization operation of mobile service facilities under blanket or conditional authorizations^{4/}; and, (c) accord renewal expectancies to all Commercial Mobile Service licensees^{5/}.

2. Comments on the various reconsideration petitions were filed by seven parties in addition to AirTouch.^{6/} A review of these comments reveals no disagreement on the specific points to which AirTouch Paging addressed its comments.^{7/} Indeed, PCIA properly points out in its Comments that several of the petitions for reconsideration echoed concerns of PCIA (that were endorsed by AirTouch Paging). For example, both AMTA and PageNet discussed the necessity for the Commission to codify the renewal expectancy for all CMRS licensees^{8/}, and PageNet

^{3/} AirTouch Paging Comments, Section I.

^{4/} AirTouch Paging Comments, Section II.

^{5/} AirTouch Paging Comments, Section III.

^{6/} See Partial Opposition of American Personal Communications ("APC"), Comments of Linear Modulation Technology Limited ("LMT"), Opposition of McCaw Cellular Communications ("McCaw"), Comments of Motorola, Opposition of Nextel Communications ("Nextel"), Opposition of Pacific Bell Mobile Services ("Pacific Bell") and Comments of the Personal Communications Industry Association ("PCIA").

^{7/} Many of the comments address cellular telephone, 220 MHz licensing and 900 MHz SMR licensing issues completely unrelated to the matters of concern to AirTouch Paging. See, e.g., comments of APC, LMT, McCaw, Motorola, Nextel and Pacific Bell.

^{8/} See PCIA Comments, Section II.

devoted a significant portion of its petition to explaining the difficulties that will result if the conditional licensing authority for coordinated applications is allowed to expire.^{2/}

3. Consequently, the Commission may proceed knowing that the record of the proceeding supports reconsideration on the matters of concern to AirTouch Paging.

Respectfully submitted,

AIRTOUCH PAGING

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January 30, 1995

^{2/} AirTouch Paging has reiterated this concern in its Comments, and has suggested that the Commission take steps to adopt a fill-in transmitter rule for Part 90 PCP stations that will accord parity with Part 22 licensees.

CERTIFICATE OF SERVICE

I, Carolyn M. Floyd, a secretary in the law firm of Bryan Cave, hereby certify that I have, on this 30th day of January, 1995, served copies of the foregoing **Reply Comments of AirTouch Paging** by first-class, United States mail, postage prepaid, to the following:

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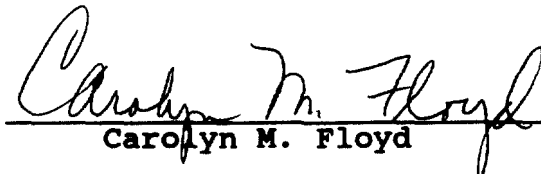
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